
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

MATTHEW A. SMITH,

Plaintiff,

v.

UNITED PARCEL SERVICE,

Defendant.

ORDER ADOPTING
REPORT & RECOMMENDATION

Case No. 2:14-cv-00237

District Judge David Nuffer

The Report and Recommendation¹ issued by United States Magistrate Judge Dustin Pead on October 27, 2014 recommends that this case be dismissed for Plaintiff's failure to state a claim on which relief may be granted and for Plaintiff's failure to respond to the Court's Order² requiring Plaintiff to file an amended complaint addressing the deficiencies of his original complaint.

The parties were notified of their right to file objections to the Report and Recommendation within 14 days of service pursuant to [28 U.S.C. § 636](#) and [Fed. R. Civ. P. 72](#). As of the date of this Order, no objection has been filed to the Report and Recommendation.

De novo review of all materials, including the record that was before the magistrate judge and the reasoning set forth in the Report and Recommendation, has been completed. The analysis and conclusion of the magistrate judge are correct and the Report and Recommendation will be adopted.

¹ Report and Recommendation, [docket no. 11](#), filed October 27, 2014.

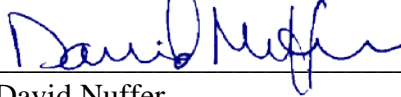
² [Docket no. 9](#), filed September 22, 2014.

IT IS HEREBY ORDERED that the Report and Recommendation³ is ADOPTED and the above-captioned matter is DISMISSED without prejudice.

The Clerk shall close the case.

Dated November 12, 2014.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "David Nuffer", is written over a horizontal line.

David Nuffer
United States District Judge

³ [Docket no. 11](#), filed October 27, 2014.